

**Introduced by Senator De León**

February 25, 2015

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An act to amend Section 313.5 of the Education Code, relating to English learners.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 409, as introduced, De León. English learners: reclassification.

(1) Existing law required the State Department of Education, by January 1, 2014, to review and analyze the criteria, policies, and practices that a sampling of school districts that represent the geographic, socioeconomic, and demographic diversity of school districts in the state use to reclassify English learners and recommend to the Legislature and the State Board of Education any guideline, regulatory, or statutory changes that the department determines are necessary to identify when English learners are prepared for the successful transition to classrooms and curricula that require English proficiency.

This bill would instead require the department, by January 1, 2017, to contract with an outside research organization to perform the above-mentioned review and analysis. The bill would require the department to examine, as part of this review and analysis, information on English learner achievement as described in local control and accountability plans.

(2) Existing law required the department, by January 1, 2014, to issue a report on its findings, research, analysis, recommendations, and best practices, and requires the department, by January 1, 2017, to issue an updated report that reflects any changes in analysis and recommendations as a result of the adoption by the state board of the common core standards and related English language development standards.

This bill would change the issue date of this report to January 1, 2017, and would change the issue date of the updated report to January 1, 2018.

This bill would also make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 313.5 of the Education Code is amended  
2 to read:

3 313.5. (a) By January 1, ~~2014~~, 2017, the department shall  
4 *contract with an outside research organization to* review and  
5 analyze the criteria, policies, and practices that a sampling of school  
6 districts that represent the geographic, socioeconomic, and  
7 demographic diversity of school districts in the state use to  
8 reclassify English learners, and recommend to the Legislature and  
9 state board any guideline, regulatory, or statutory changes that the  
10 department determines are necessary to identify when English  
11 learners are prepared for the successful transition to classrooms  
12 and curricula that require English proficiency.

13 (b) For purposes of completing the review and analysis required  
14 pursuant to subdivision (a), the department shall consult with  
15 parents of English learners, experts with demonstrated experience  
16 in developing and administering assessments for English learners,  
17 classroom or resource teachers, or both, school district  
18 administrators with expertise in curriculum, instruction, assessment,  
19 and accountability, and researchers possessing expertise in the  
20 education of English learners.

21 (c) The group of experts described in subdivision (b) shall  
22 develop a study design that may include a sampling methodology  
23 for purposes of selecting the school districts that will be part of  
24 the review and analysis to identify best practices pursuant to  
25 subdivision (a).

26 (d) For purposes of completing the review and analysis required  
27 pursuant to subdivision (a), the department shall examine and  
28 report on the following:

29 (1) The practices and standards used by a sampling of school  
30 districts that represent the geographic, socioeconomic, and  
31 demographic diversity of school districts in the state to meet the

1 four reclassification criteria specified in subdivision (f) of Section  
2 313.

3 (2) The extent to which school districts are following the  
4 guidelines established by the state board.

5 (3) The range of reclassification criteria developed by school  
6 districts.

7 (e) As part of the examination required pursuant to subdivision  
8 (d), the department shall analyze the following:

9 (1) English language proficiency and academic performance  
10 data.

11 (2) The relationship of the reclassification criteria to  
12 reclassification rates.

13 (3) The academic performance of pupils after reclassification  
14 as English proficient.

15 (4) The relationship of the reclassification criteria to the  
16 academic performance of pupils after reclassification.

17 (5) *Information on English learner achievement as described*  
18 *in the local control and accountability plans developed by school*  
19 *districts pursuant to Article 4.5 (commencing with Section 52060)*  
20 *of Chapter 6.1 of Part 28 of Division 4 of Title 2.*

21 (f) In its report, the department also shall identify any other  
22 pupil outcome measures that indicate an English learner is prepared  
23 to successfully transition to a classroom and curricula that require  
24 English proficiency.

25 (g) By January 1, ~~2014~~, 2017, the department shall issue a report  
26 that includes the department's findings, research, analysis,  
27 recommendations, and best practices pursuant to subdivisions (a),  
28 (d), ~~(e)~~, (e), and (f).

29 (h) By January 1, ~~2017~~, 2018, the department shall issue an  
30 updated report that reflects any changes in analysis and  
31 recommendations as a result of the adoption by the state board of  
32 the common core standards pursuant to Section 60605.8 and the  
33 English language development standards adopted pursuant to  
34 *former Section 60811.3: 60811.3, as that section read on June 30,*  
35 *2013.*

36 (i) This section shall be implemented only if state or federal  
37 funds are appropriated as necessary to fully fund this purpose or

- 1 if private funds are made available as necessary to fully fund this
- 2 purpose.

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